

ORDINANCE NO. 2013-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 25 UTILITIES AND SERVICES, ARTICLE III SOLID WASTE DISPOSAL, SECTION 25-97 SERVICE RATES--SCHEDULES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on June 1, 1995, by passage of Ordinance No. 95-35 the City of Grapevine, Texas granted Laidlaw Waste Systems, Inc. a franchise agreement to provide for solid waste services for both residential and commercial customers for a ten (10) year period; and

WHEREAS, on September 18, 2001, by passage of Ordinance No. 2001-67 the City of Grapevine, Texas granted Laidlaw Waste Systems, Inc. an extension of the franchise agreement to provide for solid waste services for both residential and commercial customers for one (1) additional five (5) year period, commencing on June 1, 2005; and

WHEREAS, Laidlaw Waste Systems, Inc. was renamed Trinity Waste Services, Inc.; and

WHEREAS, Trinity Waste Services, Inc. was renamed, Allied Waste Services Inc.; and

WHEREAS, on July 20, 2010, by passage of Ordinance No. 2010-30 the City of Grapevine, Texas granted Allied Waste Services of Fort Worth, LLC an extension of the franchise agreement to provide solid waste services for both residential and commercial customers for one (1) additional five (5) year period, commencing on August 1, 2010; and

WHEREAS, Section 12, Item 1 of the franchise agreement provides for the establishment of residential and commercial rates on an annual basis prior to October 1 of each year; and

WHEREAS, Republic Services (dba Allied Waste Services of Fort Worth, LLC) has requested a rate adjustment to be effective on October 1, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Section 2. That Chapter 25 Utilities and Services, Article III Solid Waste Disposal is hereby amended by amending Section 25-97(a) in its entirety to read as follows:

"Sec. 25-97. Service rates-schedules.

(a) Any houses, buildings or premises used for residential purposes, shall have their garbage, trash and refuse removed at a monthly charge where such collection and removal is not required in excess of twice each week, and have its recyclable materials removed once per week with such rates established annually by ordinance.

| | <i>Monthly Charge</i> |
|--|-----------------------|
| Single-family residential | \$12.51 |
| Single-family residence without city water service..... | 12.51 |
| Duplex | 25.02 |
| Multifamily, per unit (without dumpster container) | 12.51" |

Section 3. That Chapter 25 Utilities and Services, Article III Solid Waste Disposal, is hereby amended by amending Section 25-97(b), Subsections (1) through (6) to read as follows:

"(1) *Container rates:*

a. Two-yard containers:

| | |
|-----------------------|----------|
| 1 Dump per week | \$ 63.10 |
| 2 Dumps per week..... | 106.35 |
| 3 Dumps per week..... | 142.44 |
| 4 Dumps per week..... | 200.28 |
| 5 Dumps per week..... | 260.04 |
| 6 Dumps per week..... | 300.78 |
| Extra pickup..... | 21.56 |

b. Three-yard containers:

| | |
|-----------------------|----------|
| 1 Dump per week | \$ 71.74 |
| 2 Dumps per week..... | 118.43 |
| 3 Dumps per week..... | 169.92 |
| 4 Dumps per week..... | 226.04 |
| 5 Dumps per week..... | 283.82 |
| 6 Dumps per week..... | 322.03 |
| Extra pickup..... | 24.66 |

c. Four-yard containers:

| | |
|-----------------------|----------|
| 1 Dump per week | \$ 91.03 |
| 2 Dumps per week..... | 146.29 |
| 3 Dumps per week..... | 204.85 |
| 4 Dumps per week..... | 260.83 |
| 5 Dumps per week..... | 318.30 |
| 6 Dumps per week..... | 348.29 |
| Extra pickup..... | 27.76 |

d. Six-yard containers:

| | |
|-----------------------|----------|
| 1 Dump per week | \$108.30 |
| 2 Dumps per week..... | 182.65 |
| 3 Dumps per week..... | 256.57 |
| 4 Dumps per week..... | 329.94 |
| 5 Dumps per week..... | 413.73 |
| 6 Dumps per week..... | 479.02 |
| 7 Dumps per week..... | 558.85 |
| Extra pickup..... | 30.82 |

e. Eight-yard containers:

| | |
|-----------------------|----------|
| 1 Dump per week | \$134.95 |
| 2 Dumps per week..... | 227.92 |
| 3 Dumps per week..... | 326.19 |
| 4 Dumps per week..... | 416.97 |
| 5 Dumps per week..... | 509.08 |
| 6 Dumps per week..... | 580.11 |
| 7 Dumps per week..... | 676.79 |
| Extra pickup..... | 33.90 |

f. Roll-Card Containers (Main Street):

| | |
|------------------------|---------|
| 2 Dumps per week | \$25.35 |
| Extra Roll-Carts | 5.33 |

(2) Recycling Containers:

a. Cardboard only containers:

| | |
|--------------------------------------|----------|
| 1 Dump per week (not to exceed)..... | \$ 37.11 |
|--------------------------------------|----------|

b. Roll-Card Recycle containers:

| | |
|--------------------------------------|----------|
| 1 Dump per week (not to exceed)..... | \$ 15.75 |
| Extra Roll-Carts | \$ 5.26 |

c. Six-yard recycle containers:

| | |
|-----------------------|----------|
| 1 Dump per week | \$ 67.40 |
|-----------------------|----------|

d. Eight-yard recycle containers:

| | |
|-----------------------|----------|
| 1 Dump per week | \$ 77.77 |
|-----------------------|----------|

(3) Casters: Six dollars and sixty-seven cents (\$6.67) per month additional.

- (4) Locks: One dollar and seventeen cents (\$1.17) per lift.
Gates: One dollar and seventeen cents (\$1.17) per lift
- (5) *Commercial hand-load, two (2) dumps per week:* Twenty six dollars and forty-three cents (\$26.43) per month for a maximum for four (4) thirty-gallon containers. If more than four (4) thirty-gallon containers are necessary for service, then customer will use commercial garbage container(s).
- (6) Open top construction and demolition containers:
- a. Delivery fee\$ 99.87
 - b. Daily rental fee\$4.24
 - c. Haul\$181.16
 - d. Disposal:
 - Loose..... \$6.01/cubic yard
 - Compacted \$8.46/cubic yard
 - e. Deposit\$291.59
 - f. Billing for open-top construction containers will be performed by the contractor. The City will establish such rates annually by ordinance."

Section 4. That Chapter 25 Utilities and Services, Article III Solid Waste Disposal is hereby amended by amending Section 25-97(c), to read as follows:

"(c) Collecting and removing of recyclables from multifamily (apartment) complexes will be performed [by] contractor at least once each week. Every apartment complex will be assessed a per unit monthly fee with such rates established annually by ordinance.

Monthly apartment recycling fee \$0.98"

Section 5. If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. The fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its passage, and it is accordingly so ordained.

Section 7. That the effective date of this rate adjustment will be October 1, 2013.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
GRAPEVINE, TEXAS on this the 6th day of August, 2013.

APPROVED:



William D. Tate
Mayor

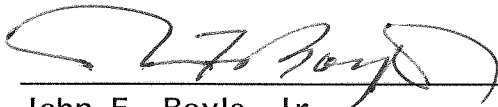


ATTEST:



Jodi C. Brown
City Secretary

APPROVED AS TO FORM:



John F. Boyle, Jr.
City Attorney